

1. This application is in condition for allowance except for the presence of **Claim 18 (Group II)**, which is **non-elected without traverse** as filed on October 6, 2008. Accordingly, Claim 18 has been cancelled. An action follows.

#### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The examiner has cancelled the above-mentioned **Claim 18 (Group II)**, which are **non-elected without traverse** by Attorney **Abraham J. Rosner** (registration # 33,276) on October 6, 2008.

**Claim 18 is cancelled.**

#### **DETAILED ACTION**

3. This office action is in response to **two** things including: (A) **Pre-Appeal Brief Conference Request** filed on July 22, 2009 and (B) **Amendment** filed on April 6, 2009. **The Final filed on April 22, 2009 is now withdrawn per Decision from Pre-Appeal Conference filed on August 17, 2009.** With such an amendment, **Claim 7 is amended; Claims 18 is still**

**withdrawn, while no claim is cancelled or added.** To be more specific, only dependent **Claim 7** is amended to overcome claim objection, while parent **Claim 1** is not amended at all.

This Application **10/553,976** is from **371/PCT/JP04/05688** with a Japanese priority date at April 22, 2003. **One** IDS (1 page) is filed so far. **Claims 1, 3 and 5-9 are now pending** with only **one** independent claim (Claim 1). An action follows. See international search report in Applicants' priority paper **WO 2004/094527 A1 to Tanaka et al.**

4. 103 (a) claim rejections under Final Office Action filed on April 22, 2009 are now removed for the reasons given in paragraphs 5-11 thereafter.

***Allowable Subject Matter***

5. Claims 1, 3 and 5-9 are allowed.

6. The following is an examiner's statement of reasons for allowance: The above Claims 1, 3 and 5-9 are allowed over the closest references:

7. The limitation of “**once-amended**” parent **Claim 1** of the present invention relates to **a fluorine-containing elastomer composition for a seal material of a semiconductor production device.** It comprises **two** components including: (A) a fluorine-containing elastomer and (B) a compound having plasma anti-aging effects,

*wherein said compound (B) having plasma anti-aging effects is at least one selected from the group consisting of an isoindolinone pigment, a quinacridone pigment, a diketopyrrolo-pyrrole pigment and an anthraquinone pigment.*

*See other limitations of dependent **Claims 3 and 5-9.***

8. Applicant has claimed now in “once-amended” parent **Claim 1** an unexpected way of obtaining a “**fluorine containing elastomer composition**” to be useful for making a seal material for a semiconductor production device. The composition comprises **two** components including: (A) **a fluorinated elastomer** and (B) **a compound having plasma antiaging effects**. Said compound (B) having plasma anti-aging effects is at least one selected from the group consisting of **isoindolinone** pigment, **quinacridone** pigment, **diketopyrrolo-pyrrole** pigment, and **anthraquinone** pigment.

9. As discussed earlier, four primary references including **Kawaguchi, Masaki, Goebel and Michio** has individually disclosed the making of **some vulcanizable fluoropolymer compositions** to be suitable to make **seal, gasket, O-ring and the related products** and in most of the cases they are designed for plasma-resistance and/or heat aging-resistance. Therefore, the references in combination or alone is still silent about adding a pigment compound (having plasma anti-aging effects) as filler to the composition, which is specifically selected from the group consisting of **isoindolinone**, **quinacridone**, **diketopyrrolo-pyrrole** and **anthraquinone** as disclosed in the cancelled Claim 4.

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10. As exactly pointed out by Applicants on pages 2-3 of Remarks, secondary reference **Tseng cannot teach such a silent subject matter** for 103 rejection as follows: Tseng only discloses that the suspending medium may be colored by dyes such as an anthraquinone dye. Tseng's disclosure has nothing to do with the thermoplastic or thermoset precursor used for preparation of the microcups (col. 3, line 65 - col. 4, line 1). Tseng et al is entirely silent as to plasma antiaging effect. It is only the **crosslinked and molded microcup that is filled with charged pigment particles dispersed in a dielectric solvent.** It is thereby not **a composition** comprising the claimed two components.

11. After further examination and search, the examiner found the following prior art did not teach the claimed limitation:

**US 2008/0287627 A1 to Noguchi** et al. discloses a process for producing some fluoroelastomer seal compositions to be useful in semiconductor industry **by incorporating some organic type pigments** so as to improve plasma resistance. See paragraphs 0008, 0094 and 0111 for seal in semiconductor industry; see paragraphs 0002 and 0099 for using organic pigment as filler, which may improve plasma resistance. However, **pigment compounds** such as **isoindolinone**, **quinacridone**, **diketopyrrolo-pyrrole** and **anthraquinone** as disclosed in the cancelled Claim 4 **is not specifically disclosed or suggested.** Additionally, it has a later US priority date at **April 16, 2007.** Therefore, Noguchi cannot be treated as a prior art reference.

**US 5,541,258 to Aonuma et al.** and **US 6,110,549 to Hamada et al.** each only adds pigment(s) into polymer composition, wherein the polymer is not fluorinated elastomer. See Aonuma at column 15, line 48-50; column 15, line 52-62; column 2, line 29-38. See Hamada at column 6, line 6-11; column 5, line 48 – column 6, line 5. Additionally, **pigment compounds** such as **isoindolinone**, **quinacridone**, **diketopyrrolo-pyrrole** and **anthraquinone** as disclosed in the cancelled Claim 4 **is not specifically disclosed or suggested**.

**US 6,837,918 B2 to Pozarnsky et al.** has disclosed adding anthraquinone pigment (column 10, line 59-63) into a liquid type polymer and then evaporate the liquid. It is not used for making seal material. See abstract. It is used to make **nanoparticle organic pigments**.

12. As of the date of this office action, the examiner has not located or identified any reference that can be used singularly or in combination with another reference including the above references to render the present invention anticipated or obvious to one of the ordinary skill in the art. Therefore, the independent and parent composition **Claim 1** is allowed for the reason listed above. Since the prior art of record fails to teach the present invention, the remaining pending dependent **Claims 3 and 5-9** are passed to issue.

13. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Dr. Henry S. Hu** whose telephone number is **(571) 272-1103**. The examiner can be reached on Monday through Friday from 9:00 AM –5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Vasu Jagannathan, can be reached on (571) 272-1119. The **fax** number for the organization where this application or proceeding is assigned is **(571) 273-8300** for all regular communications.

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/Peter D. Mulcahy/  
Primary Examiner, Art Unit 1796

/Henry S. Hu/  
Examiner, Art Unit 1796

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